


AN ORDINANCE BY
COUNCILMEMBER IVORY LEE YOUNG JR.

10-0-0399

AN ORDINANCE TO AMEND ARTICLE XXIII, ("VENDING ON PUBLIC PROPERTY"), OF CHAPTER 30, ("BUSINESSES"), SECTION 30-1436 ("DISABLED VETERANS"), OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO EXPRESSLY EXEMPT DISABLED VETERANS FROM PARTICIPATION IN THE PUBLIC VENDING MANAGEMENT PROGRAM; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in promoting the general health, safety, and welfare of the citizens of the City of Atlanta; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including vending on public property; and

WHEREAS, the City of Atlanta has implemented a Public Property Vending Management Program which manages vending on public property under the jurisdiction of the City of Atlanta; and

WHEREAS, it is the desire of the City of Atlanta to exempt all disabled veterans from participation in the Public Property Vending Management Program.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA
as follows:

SECTION 1: That **Article XXIII, ("Vending on Public Property"), Chapter 30, ("Businesses"), Section 30-1436 ("Disabled Veterans")**, of the Code of Ordinances of the City of Atlanta, Georgia, which currently reads:

Sec. 30-1436. [Disabled veterans.]

(a) Disabled veterans, as that term is currently defined in O.C.G.A. § 43-12-2 or as amended, currently holding a valid certificate of eligibility as O.C.G.A. § 43-12-5, and currently holding a public property vending permit, and blind persons who meet that definition of O.C.G.A. § 49-4-51(b) as it exists now or is from time to time amended and who hold a public property valid vending permit in force as of the date of the adoption of this subsection, shall be permitted to participate in the public vending program at a location in the public vending program closest to their existing licensed location subject to full application to the public vending management company in the same manner as all other participants and the execution of a lease, license or other form of contract or agreement as is generally utilized between the public vending management company and other vendors who will participate in the program, provided however that the rental or lease of any equipment required to participate in the public vending management

program shall not exceed \$200.00 per month for the first 60 months that such vendor participates in the public vending program.

(b) In the event that a disabled veteran as that term is defined in this subsection (g) applies to participate in the public property vending program after the adoption of this ordinance, such disabled veteran shall be permitted to participate in the program at a discounted rate for the first 36 months provided that the disabled veteran has been approved under the application process and further provided that no more than six spaces shall be dedicated to disabled veterans including those made available to subpart (g) above.

be amended such as Article XXIII, (“Vending on Public Property”), Chapter 30, (“Businesses”), Section 30-1436 (“Disabled Veterans”), shall read as follows:

Sec. 30-1436. Disabled veterans.

(a) Disabled veterans, as that term is currently defined in O.C.G.A. § 43-12-2 or as amended, currently holding a valid certificate of eligibility as O.C.G.A. § 43-12-5, and currently holding a public property vending permit, and blind persons who meet that definition of O.C.G.A. § 49-4-51(b) as it exists now or is from time to time amended, shall be exempt from any requirements that they participate in the public vending management program.

(b) All disabled veterans who hold a public property valid vending permit in force as of the date of the adoption of this subsection, shall retain the ability to continue to vend at their existing licensed locations subject to the requirements contained in this Article, unrelated to those concerning the public vending management program.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.